

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**JOSEPH MCKENNA & MICHELLE  
MCKENNA**

v.

**TOLL BROS., INC., ET AL.**

**CIVIL ACTION**

**NO. 14-6543**

**ORDER**

And NOW, this 17th day of April 2015, for the reasons stated in the foregoing memorandum, upon consideration of Defendant's Partial Motion to Dismiss Claims for Recklessness and Punitive Damages (ECF 11), and all responses thereto, it is hereby **ORDERED** that the Motion is **GRANTED**, and Plaintiffs' recklessness and punitive damages claims are dismissed without prejudice, with leave to amend.

**BY THE COURT:**

**/s/ Michael M. Baylson**

**Michael M. Baylson, U.S.D.J.**

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